

REMARKS

The above-referenced application has been reviewed in light of the Office Action mailed October 4, 2005. It is respectfully submitted that the claims present in the application are fully supported by the specification, introduce no new subject matter, and are patentable over the prior art. Prompt and favorable consideration of the claims is respectfully requested.

In the Office Action, claims 1-18 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent No. 5,733,293 to Scirica et al. (the '293 patent) in view of U.S. Patent No. 4,928,830 to Brewer (the '830 patent). This rejection is respectfully traversed.


The '293 patent does not teach or fairly suggest a suture package wherein a cover is connected to a base via a hinge as recited in the present claims. In particular, Claim 1 recites the "cover portion being integrally *connected* to the base portion *via a hinge*," Claim 9 recites "a cover *connected* to the base portion *via a hinge*," and Claim 17 recites "a molded cover portion having a hinge-side edge and a free edge, the cover portion being integrally *connected* to the base portion along the hinge-side edges." Rather than disclose or suggest a cover attached to a base via a hinge, the '293 patent teaches away from connecting the cover to the base using a hinge by disclosing that the top and bottom plates are detachably affixed to each other using tabs. Specifically, the '293 patent (Column 5, lines 17-19) discloses that the "bottom plate 68 is detachably *affixed* to top plate 66 *by means of flexible tabs* 76 formed along an edge 78 of the top plate 66." (*Emphasis added.*) Thus, the '293 patent does not teach or fairly suggest permanently attaching the top and bottom plates of a suture package via a hinge. The '830 patent discloses a hinge. However, as discussed above, the '293 patent teaches away from the cover portion being connected to the base portion using a hinge. Therefore, there is no suggestion to combine the '293 and '830 patents.

Appl. No. 10/618,806
Amdt. dated January 4, 2006
Reply to Office Action mailed October 4, 2005

In view of the foregoing remarks, it is respectfully submitted that all claims pending in the application, namely claims 1-18, are in condition for allowance. Should the Examiner desire a telephonic interview to resolve any outstanding matters, the Examiner is sincerely invited to contact the undersigned at (631) 501-5713.

Respectfully submitted,

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road - Suite 225
Melville, New York 11747
Tel.: (631) 501-5713
Fax: (631) 501-3526


Dana A. Brussel
Reg. No. 45,717
Attorney for Applicants

Send correspondence to:
Chief Patent Counsel
Tyco Healthcare Group
150 Glover Avenue
Norwalk, CT 06856